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U.S. Department of the Interior
Bureau of Land Management
Rock Springs District Office

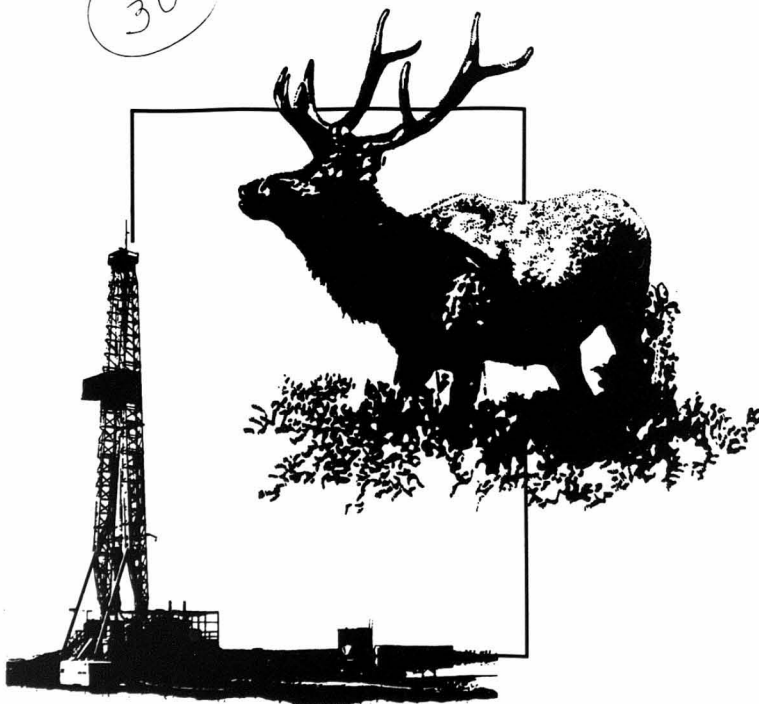
Pinedale Resource Area

April 1996

Enron Burly Development Well No. 58-18D

Finding of No Significant Impact and Decision Record

30



The Bureau of Land Management is responsible for the balanced management of the public lands and resources and their various values so that they are considered in a combination that will best serve the needs of the American people. Management is based upon the principles of multiple use and sustained yield; a combination of uses that take into account the long term needs of future generations for renewable and nonrenewable resources. These resources include recreation, range, timber, minerals, watershed, fish and wildlife, wilderness and natural, scenic, scientific and cultural values.

BLM/WY/PL-96/015+1310

WY-046-EA-96-20

97-003531



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Pinedale Resource Area
P.O. Box 768
Pinedale, Wyoming 82941-0768

1792 (460)
Enron-Burly

APR 05 1993

Dear Reader:

The enclosed finding of "No Significant Impact and Decision Record" describes the Bureau of Land Management's (BLM's) decision for Enron's Burly Development Well No. 58-18D Environmental Assessment (EA). This decision is subject to appeal as explained in the decision.

The Enron Burly Development Well 58-18D EA was released to the public on January 26, 1996. Copies of the EA were distributed to federal, state, and local government agencies, industry, and individuals that commented on the Environmental Impact Statement (EIS) prepared for this project in 1994. Public comment was accepted until February 26, 1996.

The BLM received six letters commenting on the EA during the public comment period. Individual substantive comments have been responded to. All comment letters have been reprinted in the Decision Record. The comment letters and the responses to the substantive comments are contained in Appendix A. Public comments received did not necessitate a revision of the EA.

The decision is to approve Enron's proposal subject to the identified mitigation measures and monitoring requirements. The decision is based on Enron's Burly Development 58-18D EA and the comments received.

The Environmental Assessment, prepared by the BLM, fulfills the requirements of the National Environmental Policy Act of 1969 (as amended). The proposed action is in conformance with the Pinedale Resource Area's Resource Management Plan (December 1988), the Big Piney-LaBarge Coordinated Activity Plan (August 1991), and the Enron Burly Area FEIS (June 1994).

The BLM thanks all members of the public who participated in the environmental analysis process for Enron's proposal. Your involvement has greatly enhanced the integrity of our decision. If you have any questions, please contact me at (307) 367-4358.

Sincerely,

Area Manager

Enclosure

DECISION RECORD AND FINDING OF NO SIGNIFICANT IMPACT FOR Enron's Burly Development Well 58-18D

SUMMARY OF ENRON'S DEVELOPMENT PROPOSAL

The proposed well, Burly 58-18D, is located on private surface on a steep slope above Fogarty Creek and within view of identified crucial elk winter range. The Burly project is located west of Mobil's office on the Calpet Highway between Big Piney and LaBarge, Wyoming.

The Proposed Action considered in this EA involves three project components:

- 1 Drilling and production of one oil and gas well (58-18D) on a 1.1 acre pad;
- 2 Construction of approximately 1,335 feet of new access road from the existing 52-19 well pad to the proposed 58-18D; and,
- 3 Construction of 500 feet of buried gathering pipeline from the proposed location to the existing 51-19D well pad.

An access road would be constructed to the 58-18D well. The road would start at an existing well site (52-19) located in NE¼/NE¼ of Section 19. The proposed length of road is needed to keep the grade to about 10 percent. The road would be single lane, graveled, with a turnout.

A two-inch gathering line approximately 500 feet long would connect the proposed well with the existing 51-19D well. The pipeline would be buried. This would eliminate the need for a heater on the pipeline and would simplify maintenance.

Enron's Proposed Action incorporated several measures to reduce or avoid impacts to the environment.

DECISION

It is my decision to approve Enron Oil and Gas Company's proposed Burly Development 58-18D gas well and associated facilities. Approval allows the authorization of necessary permits and rights-of-way on public lands administered by the BLM to Enron or companies contracted by Enron to implement various components of their project (e.g., access road and well pad construction, gas gathering pipeline installation).

Approval is conditioned upon and subject to the following requirements:

- Enron will implement the proposed resource protection, mitigation, and monitoring measures and those found in Sections 4.3.4; 4.6.4; 4.7.4; 4.15.4 and 4.18 of the EA. Monitoring inspections conducted by BLM and Enron will be based upon these requirements which will be applied to all surface disturbing activities. BLM will conduct monitoring inspections of construction and rehabilitation operations through a compliance officer and/or interdisciplinary team to ensure that these measures are effectively implemented.

• The BLM Pinedale Resource Area Manager or her designee is the Authorized Officer (AO) for the project. Mitigation and monitoring measures could be modified by the AO as necessary to further minimize impacts. Final mitigation and monitoring requirements will be determined by the AO after receiving the results of on-site inspections by BLM and Enron personnel and recommendations from BLM resource specialists. BLM could require additional field studies or documentation to ensure that reclamation and other resource protection goals are met.

FINDING OF NO SIGNIFICANT IMPACT

Based on my review of the analysis in Enron's Burly Development Well Number 58-18D Environmental Assessment (March, 1996), including the explanation and resolution of any potentially significant environmental impacts, I have determined that the proposed action is in conformance with the approved land use plan and, with the mitigation measures described in the EA and contained in this decision, will not have any significant impacts on the human environment. Therefore, an environmental impact statement is not required. Further explanation is provided in the section, *Management Considerations/Rationale For Decision*.

ALTERNATIVES CONSIDERED INCLUDING THE PROPOSED ACTION

Two development alternatives (Proposed Action and No Action) were considered and analyzed in detail.

Proposed Action - The proposed development would involve building a road and well pad, drilling the well; completing the well; and if the well is a producer, constructing a pipeline to transport the produced gas and oil; and reclamation of the site. A total of 3.6 acres would be disturbed with 1.7 acres to be reclaimed within a year. A total of 1.9 acres would be left disturbed for the life of the well.

No Action - The no action alternative was analyzed in detail. Under the No Action Alternative, current land and resource uses would continue. An unknown quantity of hydrocarbons could be left unrecovered. Economic return on Federal oil reserves and tax and royalty revenues would not be obtained. This situation would be contrary to Federal minerals policy.

Alternatives Considered But Not Receiving Further Analysis

Well Pad Alternatives

Environmental and geologic conditions severely restrict reasonable, alternative surface locations that would allow Enron to continue development of the target production zone. The oil reservoir appears to trend northwest from the proposed surface location. The proposed bottomhole location cannot be reached from existing well pads or from locations previously analyzed by BLM. Feasible well sites are constrained by steep slopes and cliffs along Fogarty Canyon. Directional drilling is being used as part of the Proposed Action. However, the amount of offset that can be achieved from a surface location is limited due to the shallow nature of the target formation. It is possible that the bottomhole location could be reached from a well pad within Fogarty Canyon. However, due to the presence of Fogarty Creek, ponds, wetlands and riparian areas and associated wildlife habitat within Fogarty Canyon, potential impacts to surface water and wildlife from this alternative are potentially greater than the Proposed Action examined in this EA. For this reason this alternative is not analyzed further.

Access Road Alternatives

Two other alternatives were considered for the proposed access road. The first alternative would have a 3,200-foot long road come from an existing well pad (the 42SE-19 well). This road also would have served well locations analyzed in the 1994 EIS. However, geologic data gathered from recent drilling indicate that wells on the eastern edge of the project area which were examined in the EIS are unlikely to be productive and no other wells along such a road alternative have been proposed by Enron or Mobil. Therefore, this would leave only the proposed well to be served by a 3,200 foot long road. Disturbance associated with this road would be an estimated 3.7 acres or 2.2 acres greater than the proposed road. This alternative route would also cross areas of higher density shrub cover when compared to the proposed route. This route offered no clear environmental advantages. For these reasons this alternative was not examined further.

A second route considered would start at the existing Burly 52-19 and take a 15 percent grade into the proposed well pad. This would shorten the road length to 930 feet—compared to 1,335 feet for the Proposed Action. This would reduce surface disturbance by 0.4 acres when compared to the Proposed Action. However, the 15 percent road grade would present a dangerous situation for heavy truck traffic. That, combined with the minor difference in surface disturbance (0.4 acres), eliminated this alternative from further consideration.

Pipeline Alternatives

The proposed pipeline could not be eliminated even if production tanks were installed on the location as the well could produce an oil and natural gas stream which would require piping natural gas from the location. Installation of production tanks on the location would increase visual impacts, increased vehicle traffic and would require a larger well pad. The proposed pipeline route is the shortest route between two points. The minor distance involved (500 feet) and need to keep the road corridor as narrow as possible work against co-location of road and pipeline in the same corridor. Placement of the pipeline in the road would require cutting 1,335 feet of 3-6 foot deep trench in the roadbed which could destabilize the road surface. The 16 foot wide road surface would not provide adequate workspace for pipeline stringing, welding and spoil storage. In addition, installation or repair work on the pipeline would make it impossible to access the wellhead in the case of an emergency. For these reasons, these alternatives were not analyzed further in this document. No other reasonable alternatives could be identified.

MANAGEMENT CONSIDERATIONS/RATIONALE FOR DECISION

My decision to approve the Enron's proposed development is based on careful consideration of a number of factors, including the following: 1) consistency with land use and resource management plans; 2) public involvement, scoping issues, and EA comments; 3) relevant resource and economic considerations; 4) agency statutory requirements; 5) national policy; 6) measures to avoid or minimize environmental harm; and 7) finding of no significant impact.

1) **Consistency with Land Use and Resource Management Plans** - The decision to approve Enron's proposal is in conformance with the overall planning direction for the area. The Pinedale Resource Management Plan states that public land in the area of Enron's proposal are "... open to consideration for exploration, leasing and development for all leasable minerals." Standard and special protective measures were identified and incorporated into the proposed action to reduce or eliminate adverse impacts.

2) **Public Involvement, Scoping Issues, and EA Comments** - Opportunity for public involvement was provided throughout the environmental process. Scoping for issues and alternatives was done for the EIS and were relied upon for this document. A summary of the scoping issues identified are found on page 4-21 of the EA. Copies of the EA were distributed to everyone that commented on the EIS for review and

comment on January 26, 1996. News releases in the Pinedale Round-Up and the Casper Star Tribune notified the public of this EA and asked for comments.

The BLM received six letters commenting on the EA during the public comment period (January 26, 1996 through February 26, 1996). Individual substantive comments (those that presented new data or questions on new issues bearing directly on the effects of the proposed action and its alternatives) were identified and responded to. A list of the commenters, the comment letters, and the BLM response to the comments are found in Appendix A of this Decision Record.

3) Relevant Resource and Economic Considerations - Several of the commenters to the EA expressed concerns about the impact of the proposal on wildlife and the identified crucial winter range. The following is a discussion of BLM's consideration of the concern in the process of making this decision:

It was recognized that a big part of the mitigation identified in the FEIS was that of visual screening of crucial winter habitat from the proposed development and that it is not possible to screen the 58-18D from the crucial elk habitat on the south side of Cretaceous Mountain. This left two options: drill from the bottom or the canyon or deny Enron's proposal. While the impacts on the elk would be less if the drilling occurred in the bottom of the canyon impacts on deer, moose, and the riparian areas associated with Fogarty Creek would be much greater than with the proposed action.

The results of the three models ran for the proposal indicated that additional impacts on wintering wildlife would be minimal. The Supplemental EA (p.4-12 and 4-13) recognizes "the overall effect of past and existing oil and gas development in the Burly Field and vicinity has been to decrease the level of habitat effectiveness or the probability of high densities of big game utilizing the area during the crucial winter period...Additionally, existing and reasonably foreseeable developments within crucial elk winter ranges in the Piney Herd Unit are likely to impede the WGFD objective of reestablishing elk use of native winter ranges such as range found in the vicinity of proposed activities."

The BLM and the oil and gas operators in the area (including Mobil Oil and ENRON) are cooperating with WGFD to establish a Piney Front elk habitat study with the following stated goals and objectives:

- Assess elk winter range effectiveness within the study area.
- Evaluation of elk/oil and gas compatibility within the study area.
- Predict (accurately assess) impacts of future (oil and gas) development based upon data collection and analysis within the study area.
- Capability to import data into the Southwestern Wyoming Evaluation.
- Utilization of data to lessen or minimize impacts of both existing and proposed development through road management, avoidance of key habitat elements, etc.
- Predict or infer behavioral responses of elk to external stimuli (e.g. oil and gas exploration and development activity) as a result of this particular study.

The study area boundaries are the Green River and the Sublette/Lincoln County Line, South Cottonwood Creek and LaBarge Creek.

The BLM recognizes that elk use in the Cretaceous Mountain area has diminished. However, the reduction of elk use of this winter range cannot be blamed on any single oil or gas well and it is doubtful that the addition of Burly 58-18D into this area will compound this problem, as the elk already appear to be avoiding the south end of Cretaceous Mountain.

Policy regarding compensation for lost habitat due to oil and gas development on BLM managed public lands is dictated by BLM Instruction Memo WY-96-21 which requires that any "off-site mitigation" be strictly voluntary and not required as a condition of approval. ENRON and Mobil have voluntarily decided to participate in the above mentioned study and other habitat improvements on BLM managed public lands. Further habitat improvements, potential road management guidelines and avoidance of key habitat elements on crucial elk winter range will be contingent on this study and could be voluntarily funded by the major operators in the Big Piney-LaBarge field.

Therefore there is no justification to deny Enron's proposal. The only logical alternative is to approve Enron's request with mitigation to minimize the impacts on any winter elk in the area. This was done with the timing restriction on visiting the well during the winter--between 10 am and 4:00 pm.

4) Agency Statutory Requirements - All federal, state, and county authorizing actions required to implement Enron's proposed action were identified in the EIS prepared for their entire Burly project (see DEIS, BLM, 1994a Table 1-2). All pertinent statutory requirements applicable to this proposal were considered. These include consultation with the U.S. Fish and Wildlife Service regarding threatened, endangered, and candidate species; consultation with the Corps of Engineers; and coordination with the State of Wyoming regarding wildlife, environmental quality, and oil and gas conservation.

5) National Policy - Private exploration and development of federal oil and gas leases is an integral part of the BLM oil and gas leasing program under authority of the Mineral Leasing Act of 1920 and the Federal Land Policy and Management Act of 1976. The United States continues to rely heavily on foreign energy sources. The oil and gas leasing is needed to encourage development of domestic oil and gas reserves to reduce the United States' dependence on foreign energy supplies. Therefore, the decision is consistent with national policy.

6) Measures To Avoid or Minimize Environmental Harm - The adoption of the mitigation measures identified in the EA and contained in this Decision Record represent all practicable means to avoid or minimize environmental harm. To ensure that the environmental consequences of the field development activities would be minimal, the required safeguards and resource protection measures identified through the Pinedale RMP and Enron's Burly EIS are incorporated in the proposed action and this EA.

Two items are of special note. The first is that neither Mobil nor Enron plans on developing any wells that would be served by the longer access road route that was considered but dropped from further consideration. If any wells had been proposed by either company the road would have been analyzed in this EA. The second item is that this proposed well site is much preferred than development adjacent to Fogarty Creek due to the riparian/wetland values found there. If drilling, associated with the Burly Project, is subsequently proposed in or near Fogarty Creek; an EIS will be required before that development will be allowed.

7) Finding of No Significant Impact - As discussed in the EA the direct and indirect incremental change to the environment introduced by implementation of the project on the affected resources would be minimal. The adverse impacts have been mitigated such that the net change in cumulative impacts introduced by this project--in combination with past, present, and reasonably foreseeable actions addressed in the Burly EIS (June 1994)--are expected to be insignificant. The EA concludes that the Proposed Action will not result in impacts that exceed the significance criteria defined for each resource in the EIS and that, with the mitigation measures described in the EA and contained in this decision, the proposed action will not have any significant impacts on the human environment. Therefore, an environmental impact statement is not required.

The decision to approve Enron's development proposal takes into account important management considerations, Federal Agency missions, and public need for oil and gas. The decision balances these considerations with the degree of adverse impact to the natural and physical environment. The development effort will help meet public needs for oil and gas while at the same time allowing humans to coexist with nature in a way that allows the least degree of irreversible, irretrievable commitment of resources. The long-term productivity of the area would neither be lost, nor substantially reduced, as a result of approving Enron's proposal.

COMPLIANCE AND MONITORING

Enron, Mobil Oil (as the surface owner) and the BLM will provide qualified representatives on the ground during and following construction to validate construction, reclamation, other approved design, and compliance commensurate with the provision of this Decision Record. Enron, or their contractor, will conduct monitoring in accordance with the provisions of this Decision Record. Section 4.18 in the EA identifies monitoring requirements. Enron will be required to conduct monitoring of the project site in cooperation with the BLM. The reclamation monitoring program shall include written documentation for the effectiveness and success of reclamation mitigation. Enron will monitor its reclamation to ensure that revegetation meets the accepted standards (i.e., 50 percent of predisturbance cover at 2 years and 80 percent at 5 years). Appropriate remedial action will be taken by Enron in the event unacceptable impacts are identified.

APPEAL

This decision is subject to appeal. Under BLM regulation, this decision is subject to administrative review in accordance with 43 CFR 3165. Any request for administrative review of this decision must include the information required under 43 CFR 3165.3(b) (State Director Review), including all supporting documentation. Such request must be filed in writing with the State Director, Bureau Of Land Management, P.O. Box 1828, Cheyenne, WY 82003 within 20 business days of the date such notice of decision was received or considered to have been received.


Area Manager

3/29/96 Date

APPENDIX A

Comments Received on
Enron's Burly Development Well No. 58-18D Environmental Assessment

**Comments Received on
Enron's Burly Development Well No. 58-18D Environmental Assessment**

Enron Oil and Gas Company's Burly Development Well No. 58-18D EA (WY-046-EA-96-020) was distributed to the public for review and comment on January 26, 1996. In addition, media releases were sent to radio stations and newspapers in Wyoming announcing the availability of the EA for public review. Copies of the EA were distributed to federal, state, and local government agencies, organizations, industry, and individuals. No formal public hearings were held. No requests to have a hearing were received.

The BLM received six letters commenting on the EA during the public comment period (January 26, 1996 through February 26, 1996). Individual substantive comments (those that presented new data or questions on issues bearing directly on the effects of the proposed action and its alternatives) have been responded to. The commenters included:

1. State Historic Preservation Officer (two letters)
2. John Linn, Linnco Corporation
3. Randall Taylor
4. Greg Eiden
5. State of Wyoming:
 - Oil and Gas Conservation Commission
 - Wyoming State Geological Survey
 - Public Service Commission
 - Wyoming Game and Fish Department

All comment letters have been reprinted and all necessary responses have been addressed in the Decision Record. The responses to the comments (identified sequentially by a comment reference number on the letter) are contained in this Appendix following the comment letters.

BLM has responded to the unique comments made by each party; however, in cases where comments are virtually identical, the reader is referred to a previous response.

**Comments Letters Received on
Enron's Burly Development Well No. 58-18D Environmental Assessment**



THE STATE OF WYOMING
Jim Geringer, Governor

Department of Commerce

Celeste Colgan, Director

Division of Cultural Resources

1

January 26, 1996

Mr. Arlan Hiner
Bureau of Land Management
280 Highway 191 North
Rock Springs, WY 82901

RE: Enron Oil & Gas, Application to Drill from Outside the Barley Field;
SHPO #0993KLK007

Dear Mr. Hiner:

Richard Currit of our staff has received information concerning the
aforementioned project. Thank you for allowing us the opportunity to comment.

Management of cultural resources on drilling projects is conducted in
accordance with Section 106 of the National Historic Preservation Act and
Advisory Council regulations 36 CFR Part 800. These regulations call for
survey, evaluation and protection of significant historic and archeological
sites prior to any disturbance. Provided the Bureau of Land Management (BLM)
follows the procedures established in the regulations, we have no objections
to the project. Specific comments on the project's effect on cultural
resource sites will be provided to the BLM when we review the cultural
resource documentation called for in 36 CFR Part 800.

Please refer to SHPO project control number #0993KLK007 on any future
correspondence dealing with this project. If you have any questions contact
Richard Currit at 307-777-5497 or Judy Wolf, Deputy SHPO, at 307-777-6311.

Sincerely,

Judy F. Wolf

John T. Keck
State Historic Preservation Officer

JTK:RLC:jh

Linnco Corporation
P.O. Box 734
Big Piney, WY 83113

2

February 6, 1996

Bureau of Land Management
Attn. Arlan Hiner
280 Highway 191
Rock Springs, WY 82901

RE: Supplemental EA Burly Development Well # 58-18D

Dear Arlan,

Although I disagree with the WY Game & Fish modeling
techniques concerning elk and mule deer habitat use and
density probability, the BLM has done a good job of
evaluating impacts concerning the Burly Project. All of the
proposed actions seem reasonable. Implementation of the
project should proceed without delay. Thank you for the
opportunity to comment on the EA.

Sincerely,
John Linn
John Linn

Randall Taylor
170 Wood St.
Lander, WY 82520

07 February 1996

Arlan Hiner
Bureau of Land Management
280 Highway 191 North
Rock Springs, WY 82901

3

Subject: Comments on Enron Oil & Gas Burley Development Well No.
58-180

Dear Mr. Hiner and BLM Managers:

The area of the proposed additional Enron well is not being managed for multiple use, rather it is rapidly progressing towards being completely dedicated to the oilfield. When this world was created there were a multitude of resources placed here for our use, but we were also created to be resourceful enough to use sound judgement in their use. We cannot continue to destroy critical deer and elk winter range through direct occupancy or through inappropriate proximity without appropriate mitigation.

Enron has already been authorized for 32 wells in this area. This authorization was granted with no (zero) mitigating measures to compensate for the loss of critical winter range. My comments on that development were that habitat restitution is needed. This issue was completely brushed aside in the Record of Decision by saying, "Mitigation measures for impacts to wildlife are discussed on pages 4-42 and 4-43."

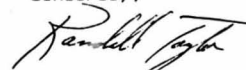
There is not an ounce of mitigation set forth on pages 4-42 and 4-43 that is going to help deer and elk on a tough winter, when they no longer have the benefit of the range displaced by the initial or the additional development.

Our mineral resources are a valuable asset to this country and must be appropriately used; they are also valuable enough to allow for development that does not destroy wildlife resources. I believe that the average citizen is trusting the BLM to protect, and wisely use our resources. There is no more critical wildlife habitat in this country than that being displaced by this project, and to date the BLM is not requiring any habitat restitution.

We cannot have any more habitat destruction without a reasonable plan for habitat restoration and enhancement that is made effective at a more rapid rate than the continued habitat decline. We've been fortunate not to have had severe winters for some time, but the time will come and the loss of habitat this

area has already experienced will come at a high price to wintering wildlife. I am asking the BLM, as stewards of the resources in this area, to not allow any more habitat destruction before habitat enhancement more than compensates for that destruction. We cannot afford any more loss.

Sincerely,



Randall Taylor



THE STATE OF WYOMING

Jim Geringer, Governor

Department of Commerce

Celeste Colgan, Director

Karyl Robb, Director
Division of Cultural Resources

FEB 12 1993

Dept. Of The Interior
Bureau Of Land Management

February 8, 1996

Mr. Arlan Hiner
Rock Springs District - BLM
P.O. Box 1869
Rock Springs, WY 82902

RE: Enron Burly Development Well No. 58-18D, Supplemental Environmental Assessment; SHPO #0993KLK007

Dear Mr. Hiner:

Richard Currit of our staff has received information concerning the aforementioned project. Thank you for allowing us the opportunity to comment.

We have reviewed the project report and find the documentation meets the Secretary of the Interior's Standards for Archaeology and Historic Preservation (48 FR 44716-42). No sites meeting the criteria of eligibility for the National Register of Historic Places will be affected by the project as planned. We recommend the Bureau of Land Management (BLM) allow the project to proceed in accordance with state and federal laws subject to the following stipulation: if any cultural materials are discovered during construction, work in the area should halt immediately and the BLM staff and SHPO staff must be contacted. Work in the area may not resume until the materials have been evaluated and adequate measures for their protection have been taken.

This letter should be retained in your files as documentation of our determination of "no effect" for this project.

Please refer to SHPO project control number #0993KLK007 on any future correspondence dealing with this project. If you have any questions, contact Richard Currit at 307-777-5497 or Judy Wolf, Deputy SHPO, at 307-777-6311.

Sincerely,

Judy F. Wolf
for John T. Keck
State Historic Preservation Officer

JTK:RLC:jh

Sirs:

I have lived and worked in the Big Piney area and the oil field all my life. I feel with the attitude that the oil field companys (Enron) have for the land, animals, and the people of the surrounding towns that it is unnecessary to grant Enron permission to drill in such a vital and important area when they have no respect for what you (the BLM) have done for them and the people have done for them.

I have seen what Enron has done with the Burly Area and I feel that they will start with just one well, so they say (Enron) and next thing will be endless wells and tank batteries. I feel they have 100 square miles of desert and already developed land to drill on. So in conclusion I feel that it would be senseless to grant permission to Enron to develop such a vital animal habit as the Fogarty Creek area.

Sincerely

Greg Eiden

(This was a hand written letter that was typed for reproduction purposes.)



STATE OF WYOMING
OFFICE OF THE GOVERNOR

JIM GERINGER
GOVERNOR

STATE CAPITOL BUILDING
CHEYENNE, WY 82002

February 23, 1996

6

Tom Curry, Natural Resource Specialist
Bureau of Land Management
Pinodale Resource Area
P.O. Box 768
Pinedale, WY 82941-0768

Dear Mr. Curry:

On behalf of the State of Wyoming, please be advised that we have reviewed the Supplemental Environmental Assessment for the Enron Burly Development, Well No. 58-18D and are supportive of this project. In accordance with our own comment period given to all affected state agencies, I have attached comments from the Game and Fish Department. It is not the state's position that approval of this project should be dependent upon the cumulative analysis (mentioned in the Game and Fish comments) being done. We would encourage the analysis being done at the appropriate time in the field development. As well, there are comments from the Geological Survey, the Public Service Commission and the Oil and Gas Conservation Commission. I trust you will give them due consideration.

Thank you for the opportunity to comment.

Sincerely,

Jim Magagna
Jim Magagna, Director
Office of Federal Land Policy

JM:jh
Enclosures

State of Wyoming
Oil and Gas Conservation Commission

GOVERNOR JIM GERINGER, CHAIRMAN

COMMISSIONERS

JIM MAGAGNA

GARY B. GLASS

BILL CROUCH

ELMER B. PARSON

STATE OIL AND GAS SUPERVISOR

DONALD B. BASKO

February 5, 1996

Ms. Julie Hamilton
Wyoming State Clearinghouse
Herschler Building
Cheyenne, WY 82002

RE: Enron Burly Development Well No. 58-18D
State Identification No. 93-073

Dear Ms. Hamilton:

I am in receipt of a copy of a Supplemental Environmental Assessment for the above noted well. This location is at the North edge of a developed field that has been on production for some time. Our relationship with Enron, the operator, has always been excellent. I am sure that they will drill this well in a responsible manner with as little damage to the environment as possible.

I recommend that this well be approved as soon as practical so the operator can proceed.

Very truly yours,

Donald B. Basko

Donald B. Basko,
State Oil and Gas Supervisor

DBB/dl





WYOMING STATE GEOLOGICAL SURVEY
BOX 3008, UNIVERSITY STATION • LARAMIE, WYOMING 82071-3008
(307) 766-2286 • FAX 307-766-2605

STATE GEOLOGIST • Gary B. Glass

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Behring W. Jones

MEMORANDUM

February 16, 1996

TO: Julie Hamilton, Wyoming State Clearing House

FROM: Gary B. Glass, State Geologist

SUBJECT: Supplemental Environmental Assessment for the Enron Burley
development well No. 58-18D (State Identifier #93-073)

Although we have no questions regarding this environmental assessment, we do want to
go on record as supporting Enron's drilling of this development well.



JIM GERINGER
GOVERNOR

Public Service Commission

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MEMORANDUM

TO: MS JULIE L. HAMILTON
POLICY ANALYST
GOVERNOR'S OFFICE

FROM: JON F. JACQUOT
ENGINEERING SUPERVISOR
PUBLIC SERVICE COMMISSION

DATE: FEBRUARY 16, 1996

RE: ENRON BURLY DEVELOPMENT WELL NO. 58-18D, STATE IDENTIFIER
NO. 93-073

This is in response to a request by the Governor's Office that the Public Service Commission comment on the referenced matter. The Commission requests that no unreasonable restrictions be placed on the provision of utility service or on the construction of utility and pipeline facilities as a result of the development of the referenced project.

The Commission requests that, in cases involving oil and gas leasing, the Bureau of Land Management not restrict the construction of utility and pipeline facilities necessary for the exploration and production of oil and gas.

If you should have any questions regarding this matter, please let me know.

WYOMING
GAME AND FISH DEPARTMENT



February 22, 1996

WER 7305
Bureau of Land Management
Pinedale Resource Area
Supplemental Environmental
Assessment, Enron Burly
Development Well No. 58-18D
SIN: 93-073
Sublette County

WYOMING STATE CLEARINGHOUSE
OFFICE OF FEDERAL LAND POLICY
ATTN: JULIE HAMILTON
HERSCHLER BUILDING., 3W
CHEYENNE, WY 82002

Dear Ms. Hamilton:

The staff of the Wyoming Game and Fish Department has reviewed the supplemental environmental assessment for the Enron Burly Development Well No. 58-18D on the Pinedale Resource Area. We offer the following comments.

Terrestrial Considerations:

The proposed well is within crucial elk and mule deer winter range. Wyoming Game & Fish Department personnel have previously commented on this project in a letter dated March 29, 1994. Concerns raised in that letter were incompletely addressed by the BLM, and are applicable to this field development. In addition, previous wells sited within the area were not within visual line-of-sight of wintering big game. However, the proposed well will be within a direct line-of-sight, thereby increasing the negative impact to wintering wildlife. We request the BLM to address our previous concerns, and conduct a cumulative impacts analysis for this area. If the project is approved, BLM should develop a mitigation plan, prior to field development, for impacts to this crucial big game winter range.

Aquatic Considerations:

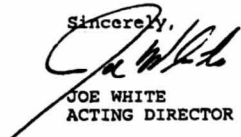
The project has the potential to negatively impact Fogarty Creek. This section of Fogarty Creek contains native nongame fish species and potentially, a small trout population. We

Ms. Julie Hamilton
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believe the stipulations provided in the draft Environmental Assessment should be adequate to protect aquatic resources. As long as the stipulations provided in the document are adhered to, we have no further concerns with this project from the aquatic standpoint.

Thank you for the opportunity to comment.

Sincerely,


JOE WHITE
ACTING DIRECTOR

JW:TC:as
cc: Wildlife, Fish Divisions
USFWS

**Response to Comments Received on the
Enron's Burly Development Well No 58-18D Environmental Assessment**

Comment #1-1 Thank you for your response. A class III cultural survey has been conducted and no cultural material was found. Under BLM's standard operating procedure if any cultural material is found construction will cease until the site is evaluated, consultation held with the SHPO, and a decision made on how to proceed. Given the location of the project no such discoveries are expected.

Comment #2-1 Thank you for your response. As a point of clarification the modeling used in the impacts section was performed by PIC Technologies, Inc.; not the Wyoming Game and Fish Department.

Comment #3 - 1 Several mitigating steps were taken to lessen the impact of the development on the wintering wildlife. (See pages 4-42 and 4-43 of the DEIS.) As a result it was determined in the Decision of Record for the EIS that unavoidable adverse impacts had been reduced to an acceptable level. (See page 2 of the ROL.)

Comment #3-2 We agree that minerals and wildlife are both valuable assets to this country and both must be managed wisely.

It was determined in the Burly Development FEIS that impacts on elk, deer, moose, and antelope had been mitigated to an acceptable level. The models used in the supplemental Environmental Analysis (page 4-12) to analyze impacts on deer and elk habitat determined that the proposed action would not alter the results of the analysis found in the EIS.

Comment #4-1 See response to comment number 1.

Comment #5-1 Thank you for expressing your thoughts on this proposal and oil and gas development in general within the Fogarty Creek area. Your input is appreciated.

Comment #6-1 Thank you for your comments. It is not the intent of the Bureau to place unreasonable restrictions on any customer. It is our mission to meet the needs of the customer while protecting the health of the land through reasonable, necessary conditions of approval.

Comment #6-2 As stated on page 4-12 of the EA, the three models ran to determine impacts on wildlife showed no substantial impact to the effectiveness of the existing habitat. BLM believes that it has adequately addressed Wyoming Game and Fish Department's on pages 11-21 of the Final EIS and in this environmental analysis. (See response to #3-2 above.)

General

There was a verbal question as to whether or not the DEIS referred to through out the document had ever been finalized. It was signed by the State Director on June 7, 1994. The references are to the data contained in the DEIS.

APPENDIX B

**ERRATA MODIFICATIONS, CORRECTIONS, ADDITIONS
TO
ENRON'S BURLY DEVELOPMENT WELL NO. 58-18D
ENVIRONMENTAL ASSESSMENT**

**Page Paragraph
Number**

2-8	4	The reference to Wyoming Oil and Gas Conservation Commission is deleted. Plugging is done in accordance with BLM requirements.
4-10	4	"In accordance with rules of the WOGCC" is replaced with "with BLM's requirements".
4-12	new	Add a new paragraph at the end of 4.7.1: There is a possible golden eagle nest within the general vicinity of the proposed well. It is possible that nesting failure would result if drilling occurs while the nest is active.
4-13	new	A new mitigation is identified in section 4.7.4: Surface occupancy or use between Feb 1 and July 31 within a radius of up to 1 mile of occupied or active raptor nest sites, as determined by a pre-disturbance raptor nest survey, will be restricted or prohibited unless the operator and surface managing agency arrive at an acceptable plan for mitigation of anticipated impacts.
4-13	new	A new mitigation is identified in Section 4.7.4: To protect important big game winter habitat, activities or surface use will not be allowed during the period from November 15 to April 30. An exception to this limitation in any year may be approved in writing by the Authorized Officer.